## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	ITED STATES OF AMERICA	)		
	Plaintiff,	) 8:07CR150 )		
	vs.	) DETENTION ORDER		
JEF	RMAINE HICKMAN,			
	Defendant.	<b>}</b>		
A.	Order For Detention  After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on May 9, 2007, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).			
B.	<ul> <li>Statement Of Reasons For The Detention         The Court orders the defendant's detention because it finds:         X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.         X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.     </li> </ul>			
C.	§ 2113(a) (Count II) carrie imprisonment; a conspiration insured financial institution carries a maximum sented brandishing of a firearm of Count I (Count III) in vious mandatory minimum of sterm of imprisonment on Count I (Count III) in vious mandatory minimum of sterm of imprisonment on Count I (Count III) in vious mandatory minimum of sterm of imprisonment on Count I (Count III) in vious mandatory minimum of sterm of imprisonment on Count I (Count III) in vious mandatory minimum of sterm of imprisonment on Count I (Count III) in vious mandatory minimum of sterm of imprisonment on Count I (Count III) in vious mandatory minimum of sterm of imprisonment of impri	Report, and includes the following: offense charged: of a credit union in violation of 18 U.S.C. es a maximum sentence of twenty years acy to commit a robbery of a federally offence of five years imprisonment; and the during the robbery of the credit union in olation of 18 U.S.C. § 924(c) carries a seven years imprisonment following any Count I. violence. orcotic drug. ge amount of controlled substances, to wit: onst the defendant is high. off the defendant including: opears to have a mental condition which offer the defendant will appear. ons as no steady employment. ons as no substantial financial resources. ont a long time resident of the community. ones not have any significant community.		

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			X The defendant has a prior record of failure to appear at court proceedings.
		(b)	At the time of the current arrest, the defendant was on:  Probation
			Parole
			Release pending trial, sentence, appeal or completion of
		(c)	sentence. Other Factors:
		(0)	The defendant is an illegal alien and is subject to
			deportation.
			The defendant is a legal alien and will be subject to deportation if convicted.
			The Bureau of Immigration and Custom Enforcement
			(BICE) has placed a detainer with the U.S. Marshal.
			Other:
_X_	(4)	releas	nature and seriousness of the danger posed by the defendant's see are as follows: the violent nature of the charges in the Indictment, eight of the evidence against the defendant, the defendant's drug history, and the defendant's prior criminal history.
Χ	(5)	Rebu	ttable Presumptions
	( )	In dete	ermining that the defendant should be detained, the Court also relied
			following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
	X		the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably
		(u)	assure the appearance of the defendant as required and the safety
			of any other person and the community because the Court finds that
			the crime involves:
			<ul><li>X (1) A crime of violence; or</li><li>(2) An offense for which the maximum penalty is life</li></ul>
			imprisonment or death; or
			(3) A controlled substance violation which has a maximum
			penalty of 10 years or more; or
			(4) A felony after the defendant had been convicted of two
			or more prior offenses described in (1) through (3) above, <u>and</u> the defendant has a prior conviction for one
			of the crimes mentioned in (1) through (3) above which
			is less than five years old and which was committed
		4. \	while the defendant was on pretrial release.
	<u>X</u>	(b)	That no condition or combination of conditions will reasonably
			assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable
			cause to believe:
			(1) That the defendant has committed a controlled
			substance violation which has a maximum penalty of
			10 years or more.
			X (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in
			relation to any crime of violence, including a crime of
			violence, which provides for an enhanced punishment
			if committed by the use of a deadly or dangerous
			weapon or device).

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## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 10, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge